

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1925 - HB 2769

May 28, 2020

SUMMARY OF ORIGINAL BILL: Adds the offense of trafficking a person for a commercial sex act to the definition of predatory offenses.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (017789): Changes the effective date from July 1, 2020 to October 1, 2020.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 39-13-523(a)(3), a child sexual predator is a person who: (1) is convicted in this state of committing an offense on or after July 1, 2007, that is classified as a predatory offense; and (2) has one or more prior convictions for an offense classified as a predatory offense.
- Pursuant to Tenn. Code Ann. § 39-13-523(a)(5), predatory offenses are:
 - Aggravated sexual battery;
 - Statutory rape by an authority figure;
 - Sexual battery by an authority figure;
 - Solicitation of a minor to commit a sex offense;
 - Solicitation of a minor to perform sex acts; and
 - Aggravated statutory rape.
- Pursuant to Tenn. Code Ann. § 39-13-523(b), a child sexual predator is required to serve the entire sentence imposed by the court undiminished by any sentence reduction credits the person may be eligible for or earn.
- Based on information provided by the Department of Correction, there has been an average of 2.8 admissions for trafficking a person for a commercial sex act each year over the last five years.

- Although adding trafficking a person for a commercial sex act as a predatory offense expands the number of offenses eligible for deeming an individual a child sexual predator, any impact resulting from the addition is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj